

# Quid Novi

VOL. VIII NO.5

MCGILL UNIVERSITY FACULTY OF LAW  
FACULTE DE DROIT DE L'UNIVERSITE MCGILL

October 13, 1987  
le 13 octobre, 1987

## CAPTION CONTEST WON BY THIRD YEAR MCGILL LAW STUDENT!

Dean MacDonald says: "Just one more reason  
to be proud of our faculty!"

Runners Up

"SAO during course change week"

SAO

"How a BCL student commits suicide  
(using a Civil Code)."

George Ahtipis

"Looks like God just returned Stephen  
Scott's draft on constitutional with com-  
ments."

Steve Douglas

"I told him not to put all the cases in one  
book."

"Yeah, so I hear they're moving a few  
things around in the library."

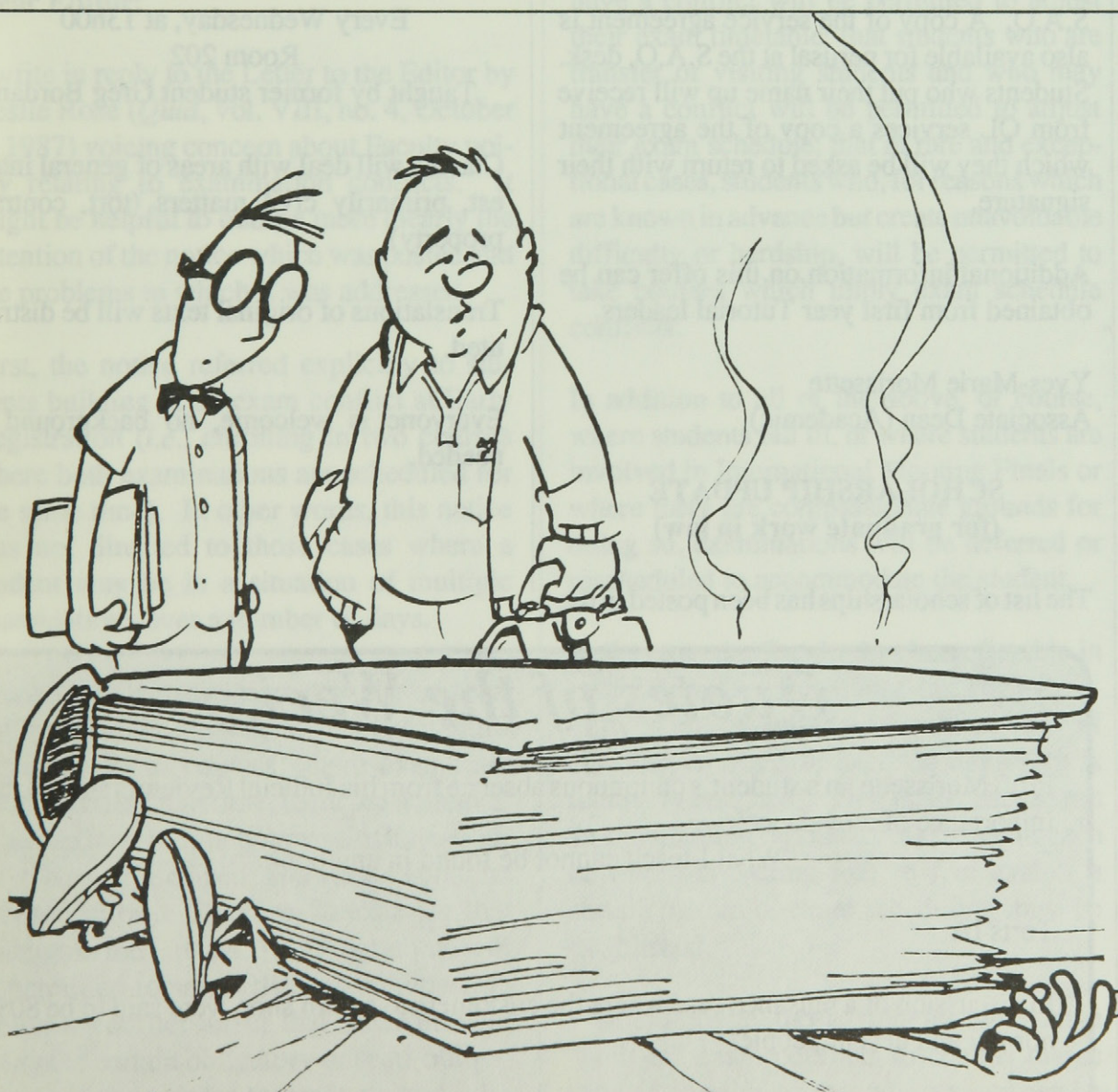
Richard Rosensweig

"Oh no! Benson wants us to read another  
dissent by Laskin."

Anonymous

"Gee, Professor Crépeau's casebook is  
smaller this year."

Farrah, Delta & Jessy



Surviving in law school means staying on top of the material.  
Steve Douglas, LL.B III



# ANNOUNCEMENTS

## THANKS LSA SOCIAL COMMITTEE

Thanks go out to all who attended our first weekly Thursday afternoon *Happy House Coffee Hour* and made it a success; remember to keep attending and bring a friend! For your greater enjoyment we will henceforth offer soft-drinks, in addition to your standard favourites of beer, natchos, gourmet coffee and cookies.

Remember to keep informed by checking our bulletin board in the lobby and the *Quid* for upcoming special events and excursions.

*Upcoming Event:* Visit the amazing *Leonardo Da Vinci* exhibit at the Musée des Beaux Arts on October 17th. Meet at 12 p.m. in the main entrance of OCDH so that we may leave as a group.

## NOTICE: SQUASH PLAYERS

Look for the ladder in the Pit. If you have not yet signed up, write your name and phone number on a blank tag and start playing. For a good ladder, play now and play often.

Scot Diamond  
733-0150

## McGILL LAW JOURNAL DISTRIBUTION

Current issues of the *McGill Law Journal* are distributed regularly, as soon as possible after printing, to all students in the Faculty. These distributions are made from the Hand-out Office (opposite the stairs in the basement of OCDH) and are announced in advance via posters placed around the building. Current students who have not picked up particular issues during past distributions are welcome to claim them at the *Journal* office anytime.

We encourage everyone to take advantage of these facilities. All law students have paid for and are entitled to their own copy of each issue appearing while they are registered at

the Faculty.

## QL SYSTEMS LIMITED

QL Systems Limited, with the cooperation of the Canadian Department of Justice, the Law Society of Upper Canada and the Canadian Law Information Council, offers to all students *free access to 87 Data Bases* which include all the more commonly consulted primary sources in Canadian Law.

In order to benefit from this offer, a student must provide his/her name, telephone number and mailing address, and must sign the "Basic Agreement for Services, Equipment and Communication Facilities" provided for this purpose by the offeror. Any student interested in this offer should print the required information on the list available at the S.A.O. A copy of the service agreement is also available for perusal at the S.A.O. desk. Students who put their name up will receive from QL services a copy of the agreement which they will be asked to return with their signature.

Additional information on this offer can be obtained from first year Tutorial leaders.

Yves-Marie Morissette  
Associate Dean (Academic)

## SCHOLARSHIP UPDATE (for graduate work in law)

The list of scholarships has been posted in the

basement of Chancellor Day Hall. Remember, it is only a partial list. Additional copies of the list are available from Prof. Webber.

Note that the Thomas Shearer Stewart Travelling Fellowship was inadvertently omitted from the list. It is worth at least \$9,000, for studies outside Québec, and is administered by the McGill Law Faculty.

Note also that a number of large U.S. law schools offer scholarships permitting one or two years' study at that institution, then further study abroad (e.g., France, Germany, underdeveloped nations). It is a good way to combine graduate work in the U.S. and abroad.

## STUDY THE TALMUD

Every Wednesday, at 13h00  
Room 202

Taught by former student Greg Bordan

Classes will deal with areas of general interest, primarily civil matters (tort, contract property).

Translations of original texts will be distributed.

Everyone is welcome, no background is needed.

## Quotes of the Week

Prof. Morissette on a student's continuous absence from his Judicial Review class and the importance of attendance:

"What I teach cannot be found in any book."

Torts IA

In discussion of a nuisance case where the customers to a porn shop were said to be 80% normal and decent people.

Professor S.R. Perry, "That's only a 20% pervert rate."



# EDITORIAL

First there was Colorado's "Make-my-day" law (see *Quid Novi*, Vol. VII, no. 17, February 18, 1987). Now it's Florida's turn. The "Sunshine State" has taken one giant step for mankind-backwards. On October 1st, a new law came into force which is almost guaranteed to turn the home of Disneyworld into Dodge City (Picture this: Mickey Mows Down Donald in Dispute Over Top Billing). The recent legislation enables Floridians to obtain permits allowing them to carry concealed weapons. (A section which authorized the right to openly carry arms has been temporarily shelved until the spring after it proved too controversial.) The law was originated by Representative Ron Johnson and was drafted and passed due to the lobbying of the National Rifle Association. Its goal is to give full expression to the constitu-

tional right to bear arms (Article 2, Bill of Rights) and to deter criminals.

As far as I can see, both these objectives are somewhat lacking in substance. The Bill of Rights was written during an era of insurgency, at a time when a tiny colony was on the brink of seceding from a much larger, more powerful mother-country. The right to bear arms was intended to provide for a ready-made militia, prepared to do battle at any moment. Today, given the size of the United States military forces (both permanent and reserve), not to mention their nuclear weapons arsenal, I see little need for a militia.

Secondly, I find it hard to believe a mugger, strung out on drugs, and eager for more, is

going to stop and weigh the risks of being blown away by his victim. Already, in an unreasonable and highly irritable state, it stands to reason that the sight of his victim reaching for a gun would lead the mugger to shoot first and run later.

It is incomprehensible to me how any sane, intelligent, rational human being can come to the conclusion that the way to make the streets a safer place is by increasing the number of guns to be found on them. Guns by their nature are violent objects. At best, they are dangerous in the hands of an experienced gunman. In the hands of a nervous amateur, ready to shoot at the slightest indication that he is possibly being threatened, they are deadly.

This legislation does not please police. They are concerned about the frightening consequences of such a law. It makes their job a lot tougher. Already incidents have occurred that only serve to demonstrate the potential problems law enforcement agencies will face. Take, for example, the man who walked into a pharmacy just after midnight, packing his pistol on his hip. Afraid that he was about to be robbed the worried owner called the police. Lucky for that man that the store owner wasn't trigger-happy, as so many of them are wont to be of late.

It's bound to happen sooner or later. An innocent person is going to be killed, either because he happened to get in the way of a shoot-out between a criminal and a citizen "taking the law into his own hands," or because he got into a heated argument with someone carrying a concealed weapon, tempers flared, and the weapon just went off (Remember the rash of freeway shoot-outs in Los Angeles this summer?).

I vehemently oppose this law. Authorities exist to serve and protect the community. Let them do the job for which they are trained. If I were a Floridian, I'd feel a lot safer out on the streets. I am only grateful that we in Canada have yet to regress to this level of frontier law and order. I hope we never do.

made in appropriate cases.

**ILANDA LEDERER**  
Student Affairs Officer

## Letter to the Editor

Dear Editor:

I write in reply to the Letter to the Editor by Leslie Rose (*Quid*, vol. VIII, no. 4, October 5, 1987) voicing concern about Faculty policy relating to examination conflicts. It might be helpful to outline more clearly the intention of the notice which was posted and the problems to which it was addressed.

First, the notice referred explicitly to students building in an exam conflict at Early Registration (*i.e.*, enrolling in two courses where both examinations are scheduled for the same time). In other words, this notice was not directed to those cases where a student may be in a situation of multiple examinations over a number of days.

Second, notwithstanding that the general policy is that the students will not be permitted to enroll in courses where exams are written at the same time, there are a number of exceptions to this policy which have always been recognized, and which continue to be recognized. They are, for example, that students in the Law/M.B.A. Programme will be permitted to adjust their exam timetable should a conflict arise; that students who must take certain obligatory or semi-obligatory courses in order to graduate and who

have a conflict will be permitted to adjust their exam timetable; that students who are transfer or visiting students and who may have a conflict will be permitted to adjust their exam schedule; that in rare and exceptional cases, students who, for reasons which are known in advance but create unavoidable difficulty or hardship, will be permitted to take courses which imply exam schedule conflicts.

In addition to all of the above, of course, where students fall ill, or where students are involved in International Mooting Finals or where there are compassionate grounds for doing so, examinations will be deferred or rescheduled to accommodate the student.

In the past, the Faculty has been flexible in rescheduling examinations, but such flexibility is only possible where the number of students who are in need of flexibility is relatively restricted. That is, in order to run an examination session for 500 students each of whom is writing four to five exams, a certain pattern of exam scheduling must be established.

I would invite those students who have "built-in" exam conflicts to contact me as soon as possible so that adjustments can be



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# Murder-by-Law

By Teresa Scassa

## IX.

Tracy sat at her desk in legal aid, endlessly grateful that her weekend was imminent. She was involved in a long and confused phone call with one of their "clients" who had called for information.

"But he's not a pet," insisted the woman on the other end of the phone. "He's the reincarnation of my dear late husband Harry. Harry always loved bassets. Harry said..."

Tracy was not interested in hearing any more of what Harry said. "I'm sorry ma'am, but if you have a 'no pets' clause in your lease, you'll have to get rid of the dog or move."

"But it's not a dog. It's my late husband Harry."

"Ma'am, what does your late husband look like?"

"Like a basset hound."

"So how's your landlord supposed to know? Maybe you should have Harry speak to him."

"Do you think that would help? Harry's terribly shy. He only talks to me."

"I'm sure he does. Try to convince him it's important."

"All right, dear. Thank you. I'll try. But if he won't, what should I do?"

"Call back," replied Tracy. "And ask to speak to Frank Butler."

Tracy hung up the phone with a sigh. So this was the law. She tried to decide whether to file her report on this one under landlord/tenant or successions. She decided to create a new file for reincarnations. While she was doing this she let her mind wander to the murder. So-called murder, she reminded herself. As she began to think about it she had the distinct impression she was being watched. The tall blond man was sitting impassively at his desk. She wished she could ask the legal aid directors to transfer him back to his previous time slot. But then

he might get suspicious. Listen to yourself she chided scornfully. You're even starting to believe this murder nonsense. To compensate for her foolishness she forced herself to look up and smile nicely at him. His eyes met her gaze instantly. He'd been watching her again. Tracy's smile wilted on her face. She was saved from further social intercourse by the fortuitous ringing of her telephone.

"Hello?" she answered sharply. "Um, mean Legal Aid."

"Tracy Field," hissed the voice indistinctly from the other end of the line. The tone sent a shiver through Tracy's tense body. Instantly told her to lie and say she wasn't in, but common sense told her it was probably only a friend with a head cold.

"Speaking," she replied, her voice cracking sharply. Bruce looked up from his desk. Under his gaze, Tracy broke into a sweat. "Who is this?"

"This is a friend." The voice crackled over the wire. "We have to talk."

"Um. Sure," she responded. "How about McDonald's at rush hour?"

"No, Tracy. Alone. I have information you may want."

"Oh, sorry," said Tracy with forced pleasantness. I have all my summaries, thanks awfully..."

"Tracy," wheezed the voice. "It's about the murder."

"Yes, well, then you have the wrong number. Try 911."

The voice on the other line became impatient.

"The information I have may save the life of one of your friends," it hissed.

"Ah," intoned Tracy nervously. "Which one?"

"Jack Murray."

Cont'd on p



# Nos T.L.M.

De Gary Bell

Les T.L.M. sont ces gens que vous voyez partout (toujours les mêmes, d'où l'abréviation T.L.M.). Ils font habituellement partie de deux ou trois club ou organisations étudiantes. Ils siègent au conseil étudiant, au conseil de la faculté ou sur divers autres comités. Ils se dévouent à la clinique d'aide juridique ou à la revue de droit. On les voit aux conférences, à la bibliothèque, aux "coffee houses", à la cafétéria, dans le "pit", et à tous les "parties". Ils sont aussi sportifs et sont souvent talentueux à plus d'un sport.

Le T.L.M. s'implique souvent dans sa communauté d'origine et parfois même dans son église ou sa synagogue. Il chante dans une chorale ou s'occupe de jeunes adolescents.

Presque chaque T.L.M. a sa cause qui lui tient à cœur, que ce soit la paix et le désarmement, les droits des femmes, ceux des minorités linguistiques, ceux des autochtones, voire même ceux des animaux (si une telle chose existe).

La faculté de droit n'est pas la seule organisation qui survit grâce au téléisme. J'ai travaillé pour l'Église durant quatre ans et là aussi ce sont "toujours les mêmes" (et dans ce cas, les T.L.M. sont à 90% des femmes). Les partis politiques ne sont pas différents.

Le téléisme est-il héréditaire ou acquis? Ou encore (question plus actuelle) est-il transmis sexuellement? Est-ce possible de susciter une épidémie de téléisme?

Cette dernière question est importante car les a friend."

spécialistes s'entendent pour dire que l'épidémie est le seul remède au téléisme. En effet, si tous participent, alors la phrase "oui, mais ce sont toujours les mêmes" n'a plus de sens. Mais il semble que cette maladie soit à un stade endémique depuis des siècles.

Etes-vous un T.L.M. ? Si plus de cinq collègues vous ont déjà demandé si vos études souffraient de vos diverses activités, vous êtes probablement un T.L.M. . Ne vous en faites pas trop cependant: plusieurs T.L.M. prennent aussi part aux honneurs académiques.

Je n'ose penser au jour où l'on trouvera un remède au téléisme (autre que l'épidémie). Ce jour-là nous serons confronté à la difficile question: "mais où donc sont les autres ?" .

## Murder-by-Law Cont'd from p.4

Oh damn it all to hell, thought Tracy. That man was getting her into so much extra-curricular trouble. "All right," she sighed. "I'll meet you."

"You won't be sorry."

Tracy was sure she would. "Where?" she asked not wanting to know the answer.

"In the library. After closing time."

"But that's impossible, they don't let anyone stay in after it closes."

"Hide in the washroom. Then at midnight, meet me in the stacks. Here's the number."

Tracy took down the number and repeated it out loud. "KLF 371 N32. Is that right?"

"Correct. And don't let a word of this get out," breathed the voice as the line went dead.

Tracy added the "or else" herself. She took a deep breath and replaced the receiver. It was damp with her sweat. She noticed Bruce was staring at her intently. She forced a bright smile on her face and said: "It was just

"Really," he replied unconvinced.

"He wanted me to pick up a library book for him." Tracy was annoyed with herself for offering this information to the blond man. If he hadn't been sitting there in the office with her she'd be convinced it was him on the phone. He did seem to know what the conversation was about, though. Maybe he'd set it up. She began to feel chilled. Silly, she told herself. The whole thing was probably just a bad joke.

X.

Tracy sat hunched over her coffee in the cafeteria. Lily and Jack had joined her at the table. Tracy did not mention her strange phone call to either of them. She was afraid Jack would insist on coming along if he knew of the rendez-vous. It was too much of a journalist's dream. Come to think of it, thought Tracy, it would probably be smart to have someone with her. But the voice had said come alone, and Tracy, like any good law student, had decided to honour her implied moral obligation. Actually, she would just some pathetically shy first-year student wanting help with a course. Her reasons for not telling Lily were entirely different. There was no danger that Lily would offer to ac-

company her. Instead she was most likely to look horrified, and proceed to terrify Tracy with ghoulish recitations from her favourite horror films.

She was so wrapped up in her thoughts that Lily had to raise her voice for Tracy to hear her complain about what poor company she was being. "Ha!" thought Tracy self-pityingly, "you'll miss me when I'm gone."

"Gosh!" apologized Lily. "I'd forgotten that tonight is your big date with Maurice. No wonder you're depressed."

"You're going out with Maurice?" asked Jack. "Gee, that's nice."

Tracy glared at him malevolently. She groaned at Lily, "I'd almost forgotten. Oh how could I have been such an idiot."

"You mean you don't want to go?" asked Jack.

"Of course she doesn't," snapped Lily impatiently. "Maurice is post nasal drip." Lily did not have a way with words.

Jack looked terribly disconcerted. It had never occurred to him that women might feel that way about their admirers. "Poor Mau-  
Cont'd on p.6



# Making Mountains Out of Mooseheads

By Dan Urbas

By the time you read this, six weeks will have passed since classes first began. Within this short time some first-year students have already distinguished themselves, often with merit. Some ran for LSA office, some participated in Faculty's intramural sports, several make valuable contributions to class discussions, and some even know more baseball trivia than profs.

What concerns me in this article-and you too because you're reading this now-are two tiny handfuls of students who have distinguished themselves in dubious manners.

The first handful is those students whose class contributions fall under one of two headings: "So True and So Obvious" and "So True and So Irrelevant." Each can be

subsumed under the generic category of "So What?"

This group of students assigns at least one representative to each lecture; more if they sense that there's very little course material to cover that day. They punctuate lectures with questions which virtually deny the substance of the discussion that went before. The prof may end a long conceptual discussion of a legal principle and tie it all up in a cloud of chalk dust with a minor procedural aside that "of course, cash payment in this instance can be made within 21 days."

Hand up. "Does that include seven days?"

"Yes."

Hand up. "And fortnights too in commonwealth dominions?"

"Certainly."

Hand up. "Can I pay after 22 days?" they're anticipating work on a litigation thesis.

Their purpose, which transcends the mere job or life calling, is to ask the obvious and pursue the irrelevant.

Profs often fashion general statements of principles. These serve as the basis for discussion. Yet, rather than consider "what was said," this handful of students question the silence of "what was not said."

They remind me of the anecdote of the sculptor who, when asked to explain how he hand-carves intricate mooseheads out of wood laconically admits that "Well, all I do is take away everything that doesn't look like the head of a moose." Easy enough.

These few students are guided by the same principle. They ignore the three-dimensional carving, the general principle. They ask about all the possible exceptions, the pile of wood shavings at the prof's feet, in the vain hope that by knowing everything that principle *is not*, they may capture the essence of what it *is*. Easy enough.

These same people were with us in high school, college and university. They followed us here. We must indulge them, as a rule. To inhibit them would be to diminish class discussions. This would compromise the cherished Socratic method nurtured by the Faculty, especially when they haven't prepared lecture notes.

My own irritation is tempered by a wonder for these students. This handful of students bear an amusing sense of incredible uncertainty. They're never sure whether they've seen the forest for the trees. They can never see the principle for all their imagined exceptions. Each prof handles these students differently, careful not to inhibit student participation but also determined to keep the discussion moving and on track.

## Murder-by-Law

Cont'd from p.5

rice," he intoned with empathy.

Noting that Jack's mouth was beginning to droop, Tracy forced herself into the conversation.

"Lily doesn't mean that. She's overstating it."

"Am not."

"Maurice is a nice guy," continued Jack in a bit of a daze.

"And brussel sprouts are good for you. But nobody likes to eat them."

"Well, I..."

Tracy spilled her coffee all over herself in a last ditch attempt to save Jack from permanently terminating his worth in the eyes of his beloved. Actually it was partly to help Jack, and partly a response to seeing a blond head pass by in the hallway. It wasn't Bruce, thought Tracy with relief, but she'd have to do something about her nerves.

"Look what you've done to your clothes,"

fussed Lily. "Now what are you going to wear on your date with Maurice."

"Quit talking about my date," growled Tracy. "I'll go like this. He won't notice. And anyway, it's not a date. It's a movie. It's just sort of a coincidence that we're both going at the same time."

Lily looked at Tracy with pity. She could afford it now that she was beginning to recover from her last shattering heartbreak.

"You know," she remarked. "Professor Bellesnotes is kind of attractive."

"He's a dish," confirmed Tracy. "If you like dishes," she added as an afterthought.

"Well he's kind of dreamy."

"I thought you told me he was involved with Hyde."

"Sure, that's what I heard," Lily batted her eyelashes cunningly. "But she's way past her prime."

"I don't get it," said Jack. "I don't follow this conversation."

Cont'd on p.8

Cont'd on p.8



# ANOTHER BREATH-TAKING MESSAGE FROM...

Hi y'all!

The Social Committee's success at encouraging a more diverse social life at the Faculty has met with mixed results so far. The first weekly "Happy House Coffee Hour" was a "greater than expected" success (yee-hah!). The visit to "Gold of the Thracian Horseman" was a little sparsely attended (three people), while nobody has so far expressed interest in the chess tournament (boo!). If upcoming "cultural" events such

## Making Mountains

Cont'd from p.6

What remains intolerable at this stage of our education is some students' lack of patience with this first group.

In each class we have self-styled educational mercenaries. They charge themselves with the responsibility of ridding the lecture halls of what they feel are undesirable as outlined above. Like snipers, they conceal themselves to the side or behind and like aim waiting for those students in the first group to speak.

Given their proper cue, these snipers perform for all of us. They roll their eyes, slurp their cold coffee, affect weary stage-sighs, and rustle their notes as if one of the sheets smells bad. Their performance is all for our benefit but is of the rigour that the speaker not see them. We are expected to empathize with them as they ache with exasperation—irritation sparked by admittedly silly and irrelevant class discussions.

My challenge to those very few in this second group is: "So what?" If you feel the urmic need, then approach these students before or between class and set them on the right course. Relieve them of their uncertainty but do it openly. Resist sniping out of sight at those students while they are struggling with class material. Distinguish yourself in a less dubious manner and speak out in class if you "know the answer."

If you lack the conviction and, I suspect, the intelligence to openly voice your criticism, then remain calm—take a valium—get a grip—get mellow—get ENCORE.

as "Leonardo" and the poker tournament are witness to equally overwhelming participation, Prof. Buckley would advise that it might be more in accordance with sound economic principles to satisfy demand rather than create it. However, November should still see a slate of non-drinking activities offered, headlined by "Cats".

The Social Committee will start to publish a calendar of social events monthly in the venerable *Quid*. We would encourage all groups to notify us of functions they would wish to see included. Also, that monthly calendar will be posted on the two LSA social events boards (in the pit and the LSA lounge), and be inked in on the board hanging in the lobby. So keep informed!

Also, beginning within the next few weeks will be the Activities Desk. One of the Social Committee members will be at the porter's desk in the lobby from noon till 2:00 every Wednesday to provide you with information, sign you up for some events, and take your money to pay for others. If you want to see "Cats", this is the place to go (for info.; not for the performance!).

We plan to purchase tickets for those events requiring them, once weekly after each Wednesday Activities Desk, and we will only begin to do so after five people have committed themselves to a particular event (in order to guarantee minimum participation). The longer that you wait, then, the more likely the event will be sold out for the scheduled performance.

Finally, those crazy first-years are throwing a party at Thomson House on October 15th. No sign-up is required, and participation should exceed five people, so hopefully we'll see you there. Everybody is welcome (except those people enjoying Institutional Investors). Soon thereafter, the first real Coffee House of the year; a Teresa Scassa specialty. For those unfamiliar with the fund-raising institution, the debauchery features live entertainment, home-baked goods, and ample beverages (alcoholic and otherwise) right into the early hours of the next day. Keep your eyes open for further details on both events.

N. Haensel

## POTPOURRI

### DOMMAGES INTERETS

NAIROBI — Quatre chameaux: c'est le prix que devra payer un homme d'âge respectable, reconnu coupable d'avoir rendu enceinte une écolière à qui il prétendait donner des cours particuliers.

La sentence a été rendue le 29 septembre par le tribunal de Garissa, au Kenya.

La cour a stipulé dans ses attendus que l'homme avait agi contrairement au code de discipline qui gouverne les sociétés africaines, et que l'amende avait été fixée en conformité avec la jurisprudence traditionnelle somalie.

### INTERURBAINS PORNO

QUÉBEC — Des appels interurbains pour une valeur de 75 mille dollars ont été facturés au gouvernement fédéral en 1983.

Il s'agissait d'appels logés auprès de réseaux de pornographie téléphonique situés à New York.

C'est le député fédéral d'Etobicoke-Lakeshore, le conservateur Patrick Boyer qui a révélé l'affaire lors du "Council on Governmental Ethics Law."

### LE BRUIT DES TONDEUSES

BRUXELLES — Le niveau maximal de décibels que peuvent encaisser les utilisateurs de tondeuses à gazon a fait l'objet d'une polémique entre certains états membres de la Communauté Economique Européenne.

Les pays producteurs de tondeuses, tels que le Royaume-Uni, l'Allemagne et l'Italie, estiment que les oreilles des tondeurs de gazon peuvent supporter plus que les 92 décibels proposés comme limite par la Commission Européenne.

Le Danemark menace de bloquer toute décision si la norme est établie à plus de 90 décibels, alors que le Parlement européen lutte pour obtenir une limite de 86 décibels.



# CONSTITUTION LEADING TO THE DIVORCE COURT

By David Wallbridge

Who is standing on guard for Canada?

I believe in a strong and united Canada. Unfortunately the Meech Lake accord underscores the nation's vulnerability historically, to those who wrongly place political expediency above the national interest.

Clearly Brian Mulroney is facing political oblivion. He is seeking to consolidate his Québec power base. He likes the "visible support" of the other provincial dons. At what historical price?

Constitutions are the cornerstones of any great society. A constitution is an integral part of a nation's mythology: the dream of what we dare to be. Ideally, it should set a tone that filters into national consciousness, a fact that seems to be lost on our present generation of enlightened legislators. A constitution that recognizes two societies, ten provincial vetoes, and offers a back door out of universal programs, is not a harmonious marriage. It is a divorce agreement.

I would strongly suggest that the Mulroney government does not have the moral man-

date to fundamentally alter the direction of Canadian society. Indeed, it is ironic that Mulroney hammered this agreement out with the typical labour lawyer panache for which he is now famous: behind closed doors, without the truly national debate that this issue deserves. In the process of this gratuitous back-slapping, Canadian democracy may suffer a fatal blow.

Unlike our neighbours to the south, and ironically the Parti Québécois, Canadians have been slow to grasp the importance of national symbolic gestures. In the final analysis, the Meech Lake accord is regressive. At the very least, it emphasizes regionalism, and is therefore by definition divisive. At worst it is plainly a manifestation of the racist skeletons that inhabit our "shared closet."

If nothing else, Pierre Trudeau rattled some bones, and forced us to strive for the higher reconciliation that transcends provincial and linguistic barriers. In short, he invented a Canadian mythology that future generations could be proud of: a bilingual, liberal democracy that dares to preserve cultural integrity while emphasizing exchange, or selflessness.

I am a product of that reconciliation. Although my parents speak English, I have been taught to value two cultures. I am fully bilingual. In this post-referendum era, I am both angered and saddened by the thoughtlessness of the federal political parties of all persuasions, who seem to be suffering from collective amnesia, or is it a more serious ailment? Pure hunger for political power, at the expense of future generations of Canadians, condemned eternally, like a suffering Prometheus, to ask the question, "Who am I?"

## Murder-by-Law

Cont'd from p.6

Co "That's actually something in your favour," remarked Tracy.

"Isn't this the time when you go and do typesetting, Jack?" asked Lily sweetly.

"No," he replied, not meaning to be dense. He loved it when she talked to him.

Lily sighed, too polite to be more rude. She turned back to Tracy. "Anyway, I don't believe that stuff about Hyde and Belle's snotes. I'm sure they're just friends."

"I know," confirmed Jack. "I've been researching that angle for The Case." He said the last two words with great journalistic pride. "If there is anything going on, they're being remarkably discreet."

Lily smiled at him in delight, and Jack was gratified he turned pink.

"Well, then, how did Lejeune know about it?" asked Tracy.

"Oh he's just an old snoop," responded Lily with scorn.

"Well, actually," continued Jack revelling in Lily's attention, "they apparently once had something going. It was more obvious then but everyone seems to think they've broken off."

Lily looked like a cat by a warm fire. Jack looked like the fire. Great, thought Tracy. Everyone's in heaven except me. I have to go out with Maurice. Then I have to go crawling around the library at midnight. The three of them each heaved great sighs at once.

## Dear Abby Initio

Dear Abby Initio,

How come there are no books with large colourful pictures and really neat drawings in the Law Library? Both of the books I have read seem only to have long words and some are even in French! Why is this?

PUZZLED

Dear Puzzled,

Most undergrads working on their major term papers use the Redpath. Sorry for the inconvenience.

Dear Abby Initio,

I have been an avid reader of your column

since its first appearance in the *Quid*. Curious as to your true identity, I have been conducting a covert investigation, but all efforts have proved fruitless. My instincts tell me that you are responsible for the questions as well as the answers. The prevalence of inane, purposeless and self-serving questions to which only *you* seem to know the answers leads me to believe that you are a professor in this Faculty. When will you reveal your identity to your faithful readers. Can we expect a photo accompanying your column in the near future?

CURIOUS

Dear Curious,

You are getting warm, but you will have to get pretty hot before I'll reveal myself to you.